

U.S. ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF WATER  
FISCAL YEAR 2004 & 2005  
ACTION PLAN TO  
INTEGRATE ENVIRONMENTAL JUSTICE



***Final Action Plan  
Fiscal Years 2004 & 2005***

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**U.S. ENVIRONMENTAL PROTECTION AGENCY – OFFICE OF WATER  
FISCAL YEAR 2004 & 2005 ACTION PLAN  
TO INTEGRATE ENVIRONMENTAL JUSTICE**

**INTRODUCTION**

The *Environmental Justice Action Plan for the U.S. Environmental Protection Agency's Office of Water Fiscal Year (FY) 2004-2005* is intended as a guide for implementing strategies and activities to integrate environmental justice into existing and future priorities and commitments. In accordance with the President's Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (1994), and the Administrator's Environmental Justice Memorandum (August 9, 2001), Office of Water (OW) has developed this action plan to help achieve the Agency's overarching goal "to integrate environmental justice into all EPA programs, policies, and activities that results in a measurable benefit to the environment and/or public health of affected communities."

This action plan serves as a meaningful resource for OW staff and managers as they develop and implement their policies, programs, and activities for FY 2004-2005. This action plan addresses management accountability; internal and external organizational engagements; collection, management, and, evaluation of data; professional and organizational development; environmental justice assessment process; and program evaluation.

Under the Safe Drinking Water Act (1974) [SDWA] and the Clean Water Act (1977) [CWA], OW works with EPA regional water divisions, states, tribes, water systems, and the public to set national drinking water standards and develop pollution control programs. OW is committed to incorporate environmental justice principles throughout these decision-making processes to ensure protection of human health for all communities and populations.

The Office of Water is organized into five program offices.

- C ***Office of Ground Water and Drinking Water (OGWDW)*** protects public health by ensuring safe drinking water and protecting sources of drinking water. OGWDW, along with EPA's ten regional drinking water programs, oversees the implementation of the SDWA. OGWDW develops and provides assistance to implement national drinking water standards; oversees, assists, and helps fund state drinking water standards and source water protection programs; helps small drinking water programs; protects underground sources of drinking water through the Underground Injection Control Program; and provides information to the public. OGWDW also works in cooperation with regions, states, and tribes. In addition, to further protect the nation's drinking water systems from terrorist acts, OGWDW has formed a Water Security Division to help the water sector to understand and use the best scientific information and technologies for water security, support the assessment of the vulnerabilities that large, urban utilities may have to possible attack, and respond effectively in the event that an incident occurs.
  
- C ***Office of Science and Technology (OST)*** is responsible for developing sound, scientifically defensible standards, criteria, advisories, guidelines, limitations, and standards guidelines under the CWA and SWDA. OST also is responsible for developing risk assessment methodologies and providing risk assessment support for OW. These products articulate the goals and provide the regulatory framework for restoring and maintaining the biological, chemical, and physical integrity of the nation's water resources; protecting the nation's public water supplies; and achieving technology-based pollution control requirements in support of point source (end of pipe) discharge programs, nonpoint source programs, wetlands programs, drinking water programs, dredge material management programs, and geographic-specific programs (such as, Great Lakes, coastal areas, and estuaries).

OST consists of three divisions that include the Engineering and Analysis Division, the Health and Ecological Criteria Division, and the Standards and Health Protection Division.

- C **Office of Wastewater Management (OWM)** oversees a range of programs contributing to the well-being of the nation's waters and watersheds. Through its programs and initiatives, OWM promotes compliance with the requirements of the Federal Water Pollution Control Act. Under the CWA, OWM works in partnership with EPA regions, states, and tribes to regulate discharges into surface waters such as wetlands, lakes, rivers, estuaries, bays, and oceans. Specifically, OWM focuses on control of water that is collected in discrete conveyances (also called point sources), including pipes, ditches, and sanitary or storm sewers. OWM also is responsible for the Clean Water State Revolving Fund, the largest water quality funding source, focused on funding wastewater treatment systems, nonpoint source projects, and estuary protection. In addition, OWM manages the Water Pollution Control Program grants program for states and tribes.
- C **Office of Wetlands, Oceans, and Watersheds (OWOW)** is responsible for protecting the nation's water resources from pollution. OWOW promotes a watershed approach to manage, protect, and restore the water resources and aquatic ecosystems of our marine and fresh waters. This strategy is based on the premise that water quality and ecosystem problems are best solved at the watershed level and that local citizens play an integral role in achieving clean water goals. Through its many programs, OWOW provides technical and financial assistance and develops regulations and guidance to support the watershed approach. OWOW works with states, tribes, territories, local governments, the private sector, and non-profit organizations to implement aspects of its program.
- C **American Indian Environmental Office (AIEO)** works to strengthen public health and environmental protection in Indian country, with a special emphasis on building capacity for tribes to administer their own environmental programs. AIEO oversees development and implementation of EPA's Indian Policy and strives to ensure that all EPA Headquarters and regional offices implement their parts of EPA's Indian program in a manner consistent with administration policy to work with tribes on a government-to-government basis and EPA's trust responsibility to protect tribal health and environments. AIEO's responsibilities also include:
- < Providing multi-media program development grants to tribes
  - < Negotiating Tribal/EPA Environmental Agreements (TEA) that identify tribal priorities for building environmental programs and also for direct program implementation assistance by EPA
  - < Developing tools to assist tribal environmental managers in their decisions on environmental priorities
  - < Developing training curricula for EPA staff on how to work effectively with tribes
  - < Working to improve communication between EPA and its tribal stakeholders in a number of ways, including assistance to EPA offices as they consult more closely with tribes on actions that affect tribes and their environments, and support for regular meetings of the EPA's Tribal Operations Committee
  - < Managing the EPA Tribal Lands Environmental Science Scholarship Program by providing funding to the American Indian Science Engineering Society to administer the scholarship program to provide funds to college and university students to increase the pool of graduates educated in environmental sciences
  - < Chairing the steering committee of the Indian Program Policy Council (IPPC), whose purpose is to ensure early and effective involvement of EPA senior management in the identification and resolution of Agency-wide Indian program policy issues

While the OW is determined to be prospective in addressing environmental justice issues and concerns, it also is beneficial to be retrospective of past environmental justice activities in order to build and strengthen ongoing and future priorities and commitments. The following list highlights OW's past environmental justice achievements:

- C Promoting and fostering active involvement by tribes in technical training sessions on the water quality standards programs. These programs represent the basic underpinnings of all water quality protection efforts and a thorough understanding of their features is critical if water quality standards are to be adopted and effectively applied to tribal lands.

- C Providing \$350,000 to the Rural Community Assistance Program to help improve or establish basic wastewater and water supply services in 24 rural, minority communities around the country.
- C Maintaining and make accessible for the public a national database on fish consumption advisories for communities to identify if a particular water body has any advisories in place.
- C Providing states and tribes with guidance and technical tools to improve their ability to develop fish consumption advisories and communicating potential health risks associated with those advisories to the public.
- C Developing electronic capabilities to locate tribal boundaries using geographical data. This application, used in conjunction with other data sources, improves EPA's ability to assess water quality conditions and problems in tribal lands.
- C Establishing and maintaining an Internet Homepage to provide the public with information on water-related issues and activities. A comment box allows for two-way communication, providing users with the opportunity to send as well as receive information.
- C Developing guidance to encourage tribes to monitor, assess, and report on water quality conditions as part of the National Water Quality Inventory. This information helps to document water quality conditions and identify improvements needed to achieve tribal goals, including unique cultural water resource uses. OW also has supported training workshops with the Native American Water Association (NAWA) to improve tribe's abilities to operate and maintain drinking water systems.
- C Providing grant assistance to tribes within the Missouri River Basin who are helping the U.S. Army Corp of Engineers revise the Missouri River Master Water Control Manual. The project's goal is to strengthen cooperation between Federal, tribal, state, and local natural resource agencies in the areas of tribal involvement in water rights impacts, resolution of conflicts, resource management and planning, environmental protection strategies, and training for tribal leaders and natural resource staff.
- C Developing, with the Bureau of Indian Affairs (BIA), the "Healing the Earth" American Indian Environmental dialogue to enhance consultation between government officials and tribal leaders on environmental definitions, goals, and program directions. The project featured a Washington conference/dialogue with several panels on American Indian/Alaska Native environmental issues, specifically spiritual, religious, and cultural aspects. The proceedings were videotaped and are being incorporated into training programs.

### **OFFICE OF WATER'S ENVIRONMENTAL JUSTICE POLICY**

EPA's mission is to protect human health and safeguard the environment – air, water, and land – upon which the health and well being of all Americans depends, regardless of race, color, national origin, or economic circumstance. OW strives to provide clean and safe drinking water for all Americans and aquatic environments in which they can reside, work, and enjoy life. To achieve these benefits for all Americans, OW is committed to integrate environmental justice principles as appropriate into its policies, programs, and activities to ensure that no segment of the population is disproportionately burdened from adverse human health or environmental effects.

OW is dedicated to enhancing programmatic areas to prevent disproportionate exposure to risks of environmental health hazards. OW is aware that data collection and analysis are fundamental to identifying and prioritizing environmental health risks, as well as pollution prevention opportunities for risk reduction, in environmental justice communities. OW commits to improving information collection as quickly as possible by working with states and tribes to help preserve the integrity of their current programs in the face of significant funding cutbacks; making better use of statistical modeling techniques to fill the gaps; and upgrading existing data and information. Therefore, OW will ensure that its staff has access to information and analytical support necessary to explore ways to improve environmental

systems. In resolving these gaps, OW will additionally gain best practices and lessons learned about environmental justice to be woven into future priorities and commitments.

OW commits to engaging and involving stakeholders early in the environmental decision making process through public participation, cross media team involvement, outreach and partnerships. OW fosters improving stakeholders' capacity to address problems and engage diverse stakeholders in solving problems. OW believes pooling all available knowledge and leveraging resources are pertinent tools to effectively address environmental justice concerns. Furthermore, OW is dedicated to strengthening collaborative relationships with external water programs to assure OW policies in environmental justice are being implemented accordingly.

OW also commits to working with the states, tribal partners, and other stakeholders to develop and implement broad based and integrated monitoring and assessment programs that strengthen their water quality standards and improve decision making.

OW management will strongly communicate environmental justice principles throughout its program offices to ensure that these principles are fairly considered during the entire decision-making process. OW promotes and encourages environmental justice training for all staff to strengthen the knowledge, skills, and abilities necessary to successfully integrate environmental justice principles as appropriate into all policies, programs, and activities.

### **Section 1: Organizational Infrastructure**

C How will your organizational structure promote the integration of environmental justice within all program areas?

OW considers concerns and principles related to environmental justice in the development of its policies, guidance, and regulations. To ensure that OW's approach to addressing environmental justice issues is consistent and coordinated, OW has designated a lead Environmental Justice Coordinator. In addition, OW has designated environmental justice contacts within each of the five program offices to communicate environmental justice information and to further promote the integration of environmental justice within the five program areas as well as among OW's Water Policy Staff, Resource Management Staff, and the Special Assistant for Communications.

The Environmental Justice Coordinator will serve as the lead for OW's Environmental Justice Integration Committee (EJIC), which will be comprised of the environmental justice contacts from each of the five program offices. OW's EJIC will convene on a monthly basis through conference calls. The purpose of the EJIC will be to ensure that environmental justice principles and concerns continue to be integrated among all program offices in OW. The lead Environmental Justice Coordinator will chair the EJIC and the responsibilities of the members of the EJIC will include, but are not limited to:

- C Provide technical assistance to the activities of the Air and Water and Indigenous Peoples subcommittees of the National Environmental Justice Advisory Council (NEJAC)
- C Distribute information to OW staff on issues related to environmental justice
- C Ensure that any proposed and/or existing regulations that may affect vulnerable communities are identified and that appropriate staff are assigned to address issues that may arise
- C Provide communities with early and meaningful involvement in the decision-making process
- C Promote the integration of environmental justice principles into the day-to-day activities of OW staff
- C Provide assistance to promote the implementation of OW's Environmental Justice Action Plan
- C Continue to gather, analyze, interpret, and provide an environmental justice perspective on relevant information associated with activities conducted by OW's program offices

Following the monthly conference calls, the Environmental Justice Coordinator will brief the Deputy Assistant Administrator on each program's progress.

OW's program offices also work towards integrating environmental justice principles into their infrastructure through a variety of activities and projects. For example, OST published guidance requiring the following language in appropriate acquisition instruments: "Executive Order 12898 (Environmental Justice) directs Federal agencies to focus on minority and low-income populations in implementing their programs, policies, and activities. Consistent with the Agency's continuing commitment to environmental justice and fair treatment of all people, the contractor shall notify the EPA project officer of minority and low-income populations, as well as populations with differential patterns of subsistence consumption of fish and wildlife, likely to be affected by a program, policy, or activity associated with work done under the contract and, when directed by EPA, shall identify any disproportionately high and adverse human health or environmental effect of the program, policy, or activity of concern on these populations (to be tailored as appropriate for individual statements of work)."

## **Section 2: Management Support**

C How will your Regional/Headquarters office management communicate expectations about the Environmental Justice Program, review tangible/intangible outcomes, and evaluate performance?

OW's management will ensure that appropriate staff are available to manage projects aimed at preventing, addressing and/or alleviating environmental justice issues raised by the NEJAC; state, tribal, and local governments; environmental justice communities; and other stakeholders. In addition, the OW's Deputy Assistant Administrator is an active participant in the Agency's Executive Steering Committee on Environmental Justice. OW's management's further demonstrates its commitment to environmental justice by supporting two subcommittees of the NEJAC, the Air and Water and Indigenous Peoples subcommittees.

OW's management is committed to incorporating environmental justice principles throughout these decision-making processes to ensure protection of human health for all communities and populations. To communicate expectations for integrating environmental justice into OW's day-to-day activities, OW's senior management will issue a Memorandum to all staff that clearly defines OW's commitment to EPA's environmental justice program as well as establishes goals and objectives for each program office to work towards. For example, OW staff will be encouraged to attend training offered by EPA's Office of Environmental Justice (OEJ) as well as participate in Agency workgroups addressing cross-media issues, such as OEJ's Environmental Justice Mapping Tool Workgroup.

OW also is investigating the feasibility of issuing Environmental Justice Awards to honor employees who have shown exceptional devotion to integrating environmental justice principles in their day-to-day activities. In addition, OW also will recognize managers who incorporate environmental justice principles into their programs with an Environmental Justice Manager of the Year Award.

OW also will take steps toward developing a process for measuring the outcome and results of its environmental justice efforts. Specifically, OW has developed a draft set of questions that will be used to conduct an inventory of existing and ongoing environmental justice projects, programs, activities, and initiatives within the office. Upon completion of the inventory, OW will work towards enhancing its strategic plan to include goals and measures as identified in its environmental justice action plan, specifically emphasizing issues related to water and public health. By conducting an inventory of all projects, programs, activities, and initiatives, OW also will be able to report and measure the progress of integrating environmental justice more accurately and on a more frequent basis.

## **Section 3: Organizational Resources and Program Support**

C Identify the aggregate full-time equivalents (FTE) in your Regional/Headquarters office that will specifically focus on environmental justice issues. If responsibilities and duties are parceled out as collateral duties to one or more employees, please compute what the FTE equivalent would be.

- C What are the functions and day-to-day responsibilities of your environmental justice coordinator(s) and/or team?
- C Will your Regional/Headquarters office have any ongoing mechanisms for focusing on environmental justice issues, such as teams and workgroups? If yes, please list and describe. Also, state how these mechanisms will be tied to other programs and activities in your Regional/Headquarters office.

OW's Environmental Justice Coordinator represents one (1) FTE that is dedicated to addressing environmental justice issues. Each program office has appointed an environmental justice contact to ensure that environmental justice is being considered in all of the work that OW does and to maximize the use of OW's statutory authority under the CWA and SWDA as well as the permitting process for the National Pollutant Discharge Elimination System (NPDES) to address environmental justice issues. OW at this time does not have additional FTEs that are solely dedicated to only environmental justice activities. However, each of OW's program offices has a designated environmental justice contact and each office is committed to assigning staff to work on environmental justice issues when the need arises.

OW's Environmental Justice Coordinator, who is located in the Management and Operations Staff, serves as a focal point to coordinate and disseminate information about environmental justice. Responsibilities of OW's Environmental Justice Coordinator include:

- C Serves as the Designated Federal Official for the Air and Water Subcommittee of the NEJAC
- C Coordinates a multi-disciplinary approach to OW's environmental justice program that includes providing administrative, technical, and policy direction to staff who address environmental justice issues; manages the flow of information within OW; and helps to coordinate inter-disciplinary teams to address concerns related to environmental justice
- C Serves as a conduit to ensure effective communication between internal and external stakeholders
- C Develops and recommends to the senior management a budget to meet resource needs of OW's environmental justice program
- C Works with other EPA program offices to ensure that the Agency's goals and objectives on environmental justice are achieved
- C Represents OW Headquarter and regional offices to inform stakeholders about OW's environmental justice activities as well as participate on national workgroups that address concerns related to environmental justice
- C Facilitates building relationships and partnerships with external stakeholders who are affected by OW's policies, guidance, and regulations

OW is committed to becoming more active on workgroups and other projects related to environmental justice that are sponsored or chaired by programs outside of the OW. Through its participation in the Agency's Environmental Justice Executive Steering Committee, OW will continue to look for opportunities to lend its expertise to address environmental justice. For example, staff from the OW will participate in OEJ's workgroup to develop a training course for EPA staff and other stakeholders on how to write permits that take into consideration environmental justice concerns. OW also will become involved in OEJ's Environmental Justice Mapping Tool Workgroup. Also, Office of Enforcement and Compliance Assurance (OECA) and the Enforcement and Air and Water subcommittees of the NEJAC, will be requesting the support of staff from OW to address environmental justice issues related to confined animal feeding operations (CAFO).

In addition, the OW staff actively are involved in a number of projects designed to ensure that the goals of environmental justice are achieved and fully-integrated in OW's policies, programs, and guidance. For

example, OW is developing better tools to conduct environmental justice analyses and develop tribal water programs. Also, OW is developing environmental justice training to assist low-income and minority communities, as well as tribes.

Additionally, many staff from OW's program offices serve on workgroups or teams that address issues related to environmental justice. For example:

- C OST's Tribal Coordinator is a member of EPA's National Indian Work Group. In addition, OST's Tribal Coordinator and the team of Regional Office Water Quality Standards Coordinators, and regional and Headquarters attorneys serve a key role in reviewing tribal applications for Treatment as State (TAS) and providing advice and assistance to tribes so that those applications can be approved by EPA.

EPA's water quality standards regulation (40 CFR Part 131) requires that states and authorized tribes review their water quality standards at least once every three years and revise them, as necessary. During the next round of triennial reviews, OST will work with the regions to provide guidance to states and authorized tribes to ensure that notifications of public hearings are targeted toward low-income and minority populations. This includes targeted mailings and notifications in newspapers serving minority communities in the locally affected areas, including non-English speaking publications.

The BEACH Program has a Headquarters team and one beach program coordinator in each coastal or Great Lakes EPA Region. The BEACH Program is focused on environmental justice issues such as highlighting frequently used urban beaches, or other waters used by minority populations for recreation, for state or local government monitoring and informing swimmers about unacceptably high levels of pathogen indicators. The team holds monthly conference calls with regional program coordinators and plans to hold an annual meeting with state and local government health departments and environmental agencies.

The Fish and Wildlife Contamination Program has a Headquarters team and one coordinator in each region. The coordinators meet with state and tribal fish advisory program representatives at an annual forum on contaminants in fish. Discussions focus on environmental justice issues such as the development of fish consumption advisories to protect targeted communities (such as subsistence fishers; cultural traditions that involve consuming organs of fish that can contain high concentrations of contaminants; limited proficiency in English, limited or no literacy; low-income; or large numbers of immigrants or refugees).

- C OWM provides water and wastewater services to tribal and community leaders through its Small Communities Team. The team partners with organizations to manage programs of technical assistance, financial assistance, and education and training to small communities and tribes. Many of the Small Communities' publications are offered in Spanish and English.

The U.S.-Mexico Border Team, consisting of OW, OIA, and Region 6 and 9 staff, manage a program to provide grants to the states, matched by state resources, for construction of wastewater and drinking water facilities in communities along the U.S.-Mexico Border. Approximately 300,000 people on the U.S. side of the border lack safe drinking water, wastewater collection and treatment systems, or adequate solid waste disposal facilities. OW's planned assessment of trans-boundary surface waters will facilitate the development of environmental data essential for effective water management. To achieve Borders 2012's goal of increasing by 25 percent the number of homes with access to safe drinking water and wastewater treatment systems, OW is working with Mexican officials to determine the number of homes currently lacking access to these basic sanitation services. Through FY 2003, \$720 million has been appropriated by Congress for infrastructure projects along the U.S.-Mexico border.

Status Reports On the Water and Wastewater Infrastructure Program for the U.S.-Mexico Borderlands are provided in English and Spanish.

Through the Clean Water Indian Program, OWM is implementing the goals and principles of the EPA 1994 Indian Policy. OWM recognizes that Tribes and Native Alaskan Villages face significant human health and environmental problems. OWM is working in partnership with the regions, other Federal and state agencies, and tribal organizations to help build tribal wastewater infrastructure, improve water pollution control programs, and strengthen tribal capacity to effectively manage their public health and water resource programs.

- C AIEO serves as an active member of the Interagency Working Group on Environmental Justice's Native American Task Force. The Task Force coordinates Federal efforts to address the range of environmental and public health concerns facing federally-recognized tribes, state-recognized tribes, non-recognized tribes, and tribal members.
- C OWOW established the Five Star Restoration Program to work with EPA's partners for community-based wetlands restoration projects in watersheds across the U.S. The National Association of Counties, the National Fish and Wildlife Foundation, and the Wildlife Habitat Council have joined with EPA for this effort. Funding for the program is provided by OWOW and the National Marine Fisheries Service's Community-based Restoration Program.
- C OGWDW supports the National Drinking Water Advisory Council, established under the Federal Advisory Committee Act (FACA). The Council has members representing small systems, public health professionals, and minority populations. A pending report (FY03) from the Council focuses on the issue of affordability of drinking water regulations, how they impact customers of drinking water systems, and what actions EPA, states, tribes, and utilities can take to address affordability concerns, especially in rural and low-income communities. OGWDW will be addressing the recommendations during FY04 and FY05. During rule-making, EPA consults with small entities as part of the Small Business Regulatory Enforcement Fairness Act (SBREFA) process and must consider disproportionate impacts on small and low income communities. For example, staff have met with the Manufactured Housing Institute to discuss how Point-of-Use devices may provide an affordable means of achieving compliance with the recently issued Arsenic rule.
- C OWM provides technical and resource support to initiatives in the regions, such as the Calcasieu Basin project in Louisiana addressing multimedia effects to populations in that watershed. In a 1994 OWM memorandum from Mike Cook, the regions were requested to develop strategies to address environmental justice. State water quality standards are considered non-discriminatory in assessing human health impacts and protections for all populations regardless of income or minority status. With authority over siting and zoning that EPA does not share, some states have specific evaluations for permit actions to address effects on low-income or minority populations. In addition, the CWA has extensive and meaningful public participation requirements for permitting actions by both state and Federal authorities. These requirements allow for environmental justice concerns to be explored and solved in the draft stages of permit actions. Environmental justice permitting guidance established by EPA's Office of General Council (OGC), in a Gary S. Guzy memorandum dated December 1, 2000, emphasizes how public participation processes can be used to address environmental justice issues on specific actions. Regular conference calls and meetings have been avenues for environmental justice issues to be discussed. Environmental justice issues specific to regions often are discussed during monthly manager conference calls. Additionally, environmental justice often is an agenda topic at the national managers meetings and at the regional/state manager meetings. OWM and regions communicate all regional environmental justice issues as appropriate.
- C Are there any specific programs/initiatives for which environmental justice will be listed as a funding priority?

OW is committed to providing funding for two subcommittees of the NEJAC, the Air and Water and Indigenous Peoples subcommittees. Upon completion of the environmental justice project inventory, OW will be able to better target specific programs and initiatives for funding to address environmental justice issues. Also, the inventory will help identify areas where existing funding can potentially be leveraged to provide technical assistance and outreach to environmental justice communities (such as for involving communities in the decision-making process of siting waste water treatment plants). The inventory also

will identify potential areas to ensure grants awarded by OW are addressing environmental justice concerns.

In addition, OGWDW's budget request for FY04 included a request for infrastructure funding for a water treatment plant in economically distressed Puerto Rico. EPA's budget request for the Drinking Water State Revolving Fund (DWSRF) program includes funding for Puerto Rico, tribes, and territories. State DWSRF programs also place an emphasis on helping communities with economic need.

OST's BEACH program provides grants to coastal and Great Lakes state, tribal, and local governments for beach monitoring and public notification. EPA will evaluate lists of waters that are being monitored by state, tribal, and local governments and determine whether revisions in the Agency's grant guidance are needed to place a higher priority on monitoring and notification activities in waters used by minority populations. These populations may include those with limited proficiency in English, limited or no literacy, low income, or large numbers of immigrants or refugees.

The Fish and Wildlife Contamination Program will focus resources on activities encouraging states and Tribes to conduct fish tissue contaminant studies in waters used for fishing by minority populations, particularly those that catch fish for subsistence. Such populations may include African Americans, Asian Pacific Islanders, Hispanics, Native Americans, Native Hawaiians, and Alaska Natives.

#### **Section 4: Government Performance and Results Act Alignment**

- C How will your Regional/Headquarters office's environmental justice program be linked to your Regional/Headquarters office's main GPRA priorities?
- C How will your Regional/Headquarters office's environmental justice strategies and activities be integrated into specific programmatic areas/functions? (e.g., permitting, community outreach, etc.)
- C Will your Regional/Headquarters office utilize Performance Partnership Agreements (PPA) and Performance Partnership Grants (PPG) to specifically address environmental justice issues?

While OW does not have specific Government Performance and Results Act (GPRA) goals that are specifically related to environmental justice, OW integrates principles of environmental justice into its GRPA goals related to clean and safe water. Through goal 2 (Clean and Safe Water) and goal 4 (Health Communities and Ecosystems) of EPA's Strategic Plan, OW will address environmental justice issues and meet the community involvement goal in GPRA. OW has established national plans and activities to provide technical assistance to communities, local governments, state governments, and tribes. For example:

- C Provide warnings to the public about consumption of contaminated fish and recreating in waters with high levels of pathogens. These programs have emphasized promotion of environmental justice through contaminant and pathogen monitoring, as well as effective risk communication to minority populations who may consume large amounts of fish taken from polluted waters or swim in urban and other waters containing high levels of pathogens. Both of these programs are directly linked to the following GPRA priorities.
  - Goal 2: Safe and Clean Water. Objective 1: Protect Human Health. Subobjective 1-2: Fish and Shellfish Safe to Eat. By 2008, the quality of water and sediments will be improved to allow increased consumption of safe fish and shellfish as measured by the strategic targets and program activity measures described below:
    - 1) By 2008, improve the quality of water and sediments to allow increased consumption of safe fish in not less than 3 percent of the water miles/acres identified by states or tribes as having a fish consumption advisory in 2002.
    - 2) By 2008, fish tissue will be assessed to support a specific water body or regional consumption advisories, or a determination will be made that no consumption advice is necessary for at least 40 percent of lake acres.

3) By 2008, EPA will assist and support the development of tribal fish advisory programs so that at least 10 tribes will have adopted and applied the national fish advisory guidance to making fish advisory determinations for local waters.

4) By 2008, 100 percent of states and tribes will have adopted the new fish tissue criterion for mercury.

- Goal 2: Safe and Clean Water. Objective 1: Protect Human Health. Subobjective 1-3. Water Safe for Swimming. By 2008, restore water quality to allow swimming in not less than 5 percent of the stream miles and lake acres identified by states in 2000 as having water quality unsafe for swimming. Relevant strategic targets and program activity measures include:

1) By 2008, the quality of recreational waters nationwide will be protected so that the number of waterborne disease outbreaks attributable to swimming in, or other recreational contact with, the ocean, rivers, lakes, or streams will be reduced to not more than 8, measured as a five year average.

2) By 2008, all 35 coastal and Great Lakes states, tribes, and territories will have adopted, for coastal recreational waters, water quality criteria for *E. coli* and enterococci.

3) By 2008, EPA will publish new criteria for pathogens of concern for recreational waters.

4) By 2008, 100% of significant public beaches will be monitored and managed under the BEACH Act Program.

- Goal 2: Protect Water Quality, Subjective 2-1: Protect and Improve Water Quality on a Watershed Basis; include the following program activity measures:

1) Number of states and authorized tribes that have completed a triennial water quality standards review within the past three years under Section 303(c) of the CWA.

2) By 2008, increase the number of tribes that have water quality standards approved by EPA to 33.

3) By 2008, EPA will publish, consistent with the priorities and schedule in the Water Quality Standards and Criteria Strategy, water quality standards program guidance needed to assist states and Tribes in adopting scientifically sound water quality standards.

4) Each year 75 percent of state/tribal water quality standards submissions are approved/disapproved by EPA within 90 days.

- C Provide quality, clean water to all communities, naturally inclusive of all environmental justice communities. Currently, NPDES permitting considers environmental justice concerns through application of pertinent water quality standards (WQS).

By 2005, protect the health of 1.5 million people in the Mexico border area by providing adequate water and wastewater sanitation systems funded through Border Environmental Infrastructure Fund.

- C Ensure public health protection for all Americans, which includes those disproportionately affected by pollution. The new Strategic Plan also will include specific measures related to groundwater and drinking water for tribes.

Many of OW's program offices integrate environmental justice principles into their grant programs. For example, EPA provides funding for states and tribes to develop and refine their wetland programs through Wetland Program Development Grants (WPDG). EPA relies on the Performance Partnership Act to develop an additional mechanism for funding state and tribal wetland programs. Performance Partnership Grants (PPG) enable States and tribes to use WPDG funds to partially implement their wetland programs.

Also, AIEO addresses environmental justice issues through two grant mechanisms:

- C General Assistance Program (GAP) grants: AIEO is the National Program Manager for GAP grants. Under the Indian Environmental General Assistance Program Act, EPA awards multi-media grants to federally-recognized tribes and intertribal consortia to plan, develop or establish environmental protection programs. GAP represents the largest single source of funding for tribal environmental programs awarded by EPA.
- C PPGs: AIEO is the lead office in the Agency for tribal PPGs. A PPG is a multi-program grant to a tribal or state agency. PPGs are funded by EPA from funds allocated and otherwise available for categorical grant programs. PPGs provide tribes and states with the option to combine funds from two or more specified categorical grants into one or more PPGs. This flexibility allows tribes and states to address their highest environmental priorities and reduce administrative burdens.

Overall, OW plans to continue to provide technical assistance and program support to help build tribal capacity related to water issues in Indian Country.

Currently, there are no PPAs or PPGs that specifically address fish and wildlife contamination or BEACH Program activities. However, PPAs are negotiated with the states and tribes on a region-by-region basis for the OST. Agreements could, therefore, be negotiated to encourage the monitoring of waters used by minority populations for fishing or swimming, and the issuance of fish consumption or swimming advisories for waters where such measures are needed to protect public health.

### **Section 5: Internal Organizational Engagement**

- C Will your Regional/Headquarters office's environmental justice program have any ongoing mechanisms to communicate with, receive input from, and otherwise consistently engage with other programs in your Regional/Headquarters office? If yes, please list and describe.
- C Will your Regional/Headquarters office develop any related guidance to the staff regarding the integration of environmental justice in areas such as authorization/delegation, environmental education, grants and contracts, inspection, enforcement and compliance assistance, permitting, performance partnership, public participation, waste site cleanup/Brownfields, etc.? If yes, please list and describe.

OW's Environmental Justice Coordinator actively communicates with OEJ to ensure that OW's programs, policies, and activities are consistent with the Agency's policies and guidance for addressing environmental justice issues. OW will increase its participation on Agency workgroups that address cross-media issues related to environmental justice. One of the activities of the EJIC will be to develop an environmental justice outreach plan for each program office.

Listed below are a number of collaborative efforts in which OW staff are involved:

- C Work with the Office of Air and Radiation (OAR) to support the Air and Water Subcommittee of the NEJAC
- C Work with OECA to support the Enforcement Subcommittee of the NEJAC
- C Participate on OEJ's workgroup to develop a training course on how to write permits
- C Meet on a regular basis with the Environmental Justice Coordinators from other Headquarter program offices and regional offices
- C Participate on EPA's National Indian Workgroup

Several of OW's program offices also support, coordinate, communicate and engage with other programs in Headquarters and the regions. For example, The Fish and Wildlife Contamination Program has a Headquarters team and one coordinator in each region. The coordinators meet with state and tribal fish advisory program representatives at an annual forum on contaminants in fish. The BEACH Program has a Headquarters team and one beach program coordinator in each EPA Region who participate in monthly conference calls.

OST's Tribal Coordinator is a member of EPA's National Indian Work Group. Through this Agency-level group, the coordinator is able to interact with other EPA program officials on a range of issues affecting Indian tribes. The Tribal Coordinator uses the communication tools of other EPA program offices to

transmit important WQS information to tribes, and the tribal coordinator also serves as a funnel of information from Headquarters programs to EPA's Regional Water Quality Standards Coordinators, who in turn communicate with Tribes in their respective Regions.

In addition, OST will evaluate lists of coastal recreation waters that are being monitored by state and local governments. This evaluation will be conducted to determine whether revisions in the BEACH program's grant guidance are necessary to promote environmental justice.

Updated risk communication guidance will be developed for EPA regional Fish and Wildlife Contamination Program coordinators, states, and tribes. The guidance will include information on developing and implementing risk communication strategies for "hard-to-reach" communities. These include communities with limited English proficiency, limited literacy, geographic isolation, limited income, or unique cultural values and practices that may limit the effectiveness of certain risk communication tools.

OWM closely works with EPA's Office of Civil Rights when a Title VI complaint is filed which involves NPDES issues under CWA. Also, OWM will continue to jointly review EPA documents on environmental justice with other Headquarter offices. In addition, OW encourages the regions to assist communities affected by environmental justice issues in public participation activities during the WQS setting process, which can lead to NPDES permitting requirements that may help to address a community's water quality concerns.

OGWDW implements drinking water standards that are protective of public health ensuring uniform levels of protection for all American. OGWDW identifies sub-populations most vulnerable to drinking water contaminants, such as infants, children, pregnant women, the elderly, and the immunocompromised, and considers the risk to these sensitive sub-populations when setting safety standards. As part of the standard-setting process, OGWDW relies on input from all interested parties, looks at whether drinking water regulations are cost effective, determines appropriate procedures for analyzing samples of drinking water, and identifies affordable ways to treat drinking water.

## **Section 6: External Stakeholder Engagement**

- C Will your Regional/Headquarters office have any processes in place to receive input on environmental justice issues from external stakeholders, such as workgroups, advisory bodies, or listening sessions? If yes, please describe the process and explain how the input gathered may be (or has been) used by your Regional/Headquarters office.
- C Will your Regional/Headquarters office have any ongoing mechanisms to share information to external groups regarding environmental justice such as web sites, faxback system, printed outreach materials, etc.? If yes, please list and describe. Also please mention the specific stakeholder group(s) which benefit from these outreach mechanisms.
- C How will your Regional/Headquarters office identify stakeholders who could benefit from increased awareness about environmental justice and being more engaged in the collaborative problem-solving process?
- C How will your Regional/Headquarters office promote collaborative problem-solving among stakeholders?
- C Will your Regional/Headquarters office have any special initiatives or provisions to address issues for persons with limited English proficiency? If yes, please describe or attach.
- C In the course of your environmental justice outreach, will your Regional/Headquarters office utilize any informational materials translated in languages other than English? If yes, please list and describe.
- C Are there any specific grant programs for which environmental justice will be listed as a funding priority? Please list and describe.

OW continues to encourage the participation of external stakeholders in decision-making processes that affect environmental justice communities. Through various stakeholders groups such as the Tribal Operations Committee, the Air and Water and Indigenous Peoples subcommittees of the NEJAC, and the National Drinking Water Advisory Council, OW will continue to seek advice and comments on programs and activities that affect low income and minority communities. OW also will continue to serve as an information resource to these external stakeholders.

OW plans on pursuing several new initiatives over the next two years to improve OW's communication to external stakeholders. Such initiatives include developing a web site that is dedicated to communicating information about environmental justice activities and programs at OW. The Web site will be used to highlight environmental justice success stories, announce vacancies on various FACAs, announce and provide the release of new guidance that would affect environmental justice communities, and provide a mechanism for the public to provide input on OW's draft policies and guidance. OW will work with OEJ to set up its own environmental justice mailing list using OEJ's current environmental justice mailing list that is populated with over 3,000 names. For those stakeholders that do not have access to the Internet, the mailings will provide them with access to the information that is available on OW's Environmental Justice web sites.

OW also continues to support current web sites that are translated into languages to ensure that all stakeholders have access to information. For example, OGWDW maintains home pages that have been translated into Spanish to reach additional stakeholders about important information related to drinking water advisories. In addition, the OWM has translated many documents related to CAFOs and the NPDES. OW will continue to identify other fact sheets and outreach materials that should be translated into not only Spanish but other languages.

As part of its efforts to integrate the principles of environmental justice into all policies and activities of its program offices, OW will incorporate the "seven basic steps for effective public participation," outlined in EPA's new Public Involvement Policy dated June 6, 2003. These steps will be incorporated into OW activities that involve public participation or public notification (for example, during development of new policies, or during public comment processes related to permits).

All of OW's program offices seek the involvement of external stakeholders and provide technical assistance through a variety of programs. Specific activities of each program office are highlighted below.

#### ***Activities of AIEO***

- C Seeks tribal representation in a manner that is consistent with the government-to-government relationship between the U.S. and tribal governments, the Federal government's trust responsibility to federally-recognized tribes, and any treaty rights
- C Encourages input from the NEJAC's Indigenous Peoples Subcommittee (Tribal governments and individuals representing Tribal governments)
- C Promotes and facilitates communication between EPA and tribal governments, pursuant to the 1984 Indian Policy and Executive Order 12875 (Unfunded Mandates Reform Act), and between EPA and tribal members and/or organizations

#### ***Activities of OGWDW***

- C Supports The National Drinking Water Advisory Council, which has members representing small systems, public health professionals, and minority populations.
- C Continues to produce outreach material in Spanish and will continue to identify materials that should be translated for wider distribution to non-English speaking populations. The Office also oversees the Consumer Confidence Rule regulations, which require that public water systems publish notices in the language of significant foreign-populations living within its service area.

- C Maintains the Drinking Water Academy (DWA), which is a long-term training initiative whose primary goal is to expand EPA, State, and Tribal capabilities to implement the 1996 Amendments to the Safe Drinking Water Act (SDWA). In addition to providing classroom and Web-based training, the DWA will act as a resource for training materials pertaining to SDWA implementation. EPA formed the DWA to help EPA, states, and Indian Tribes enhance program capability to meet the public health protection objectives of the SDWA requirements. The 1996 SDWA Amendments created a number of new programmatic challenges for the states, Tribes, and the water systems they regulate. The Amendments also provided new funding opportunities to meet these growing needs. DWA training will support EPA, state, and tribal efforts to implement these new regulations.
  
- C Plans to participate in Interagency Working Group on Environmental Justice Revitalization Project, *Empowering Communities to Secure Drinking Water in Rural Puerto Rico*. This revitalization project is being led by the Center for Education, Conservation & Research (CECIA-UIPR), and intends to provide training and other technical assistance to local communities to operate user-owned drinking water systems in rural Puerto Rico. This project complements the different technical assistance and educational activities already underway in Puerto Rico, and provides resources to prepare community members with much needed managerial, administrative and operational skills. This effort can serve as a model for other rural communities to create awareness and understanding of actual and potential threats to water quality and community health. It can also be a model for empowering community residents of small potable water communities in how to network with the private sector, Federal, local and commonwealth government to initiate projects to assure proper planning for development and community revitalization. The working group is hoping to hold a round table discussion late February or early April 2004 in Puerto Rico. OGWDW intends to participate in the round table discussion, along with OW's Deputy Assistant Administrator and Environmental Justice Coordinator. Close coordination will occur between OW and EPA Region 2, as well as the Caribbean Division.

***Activities of OST***

- C Recently submitted a report to EPA on Fish Consumption and Environmental Justice. This report reflects advice and recommendations that resulted from analyses completed by the NEJAC's Fish Consumption Workgroup. The recommendations contained in this report are being carefully considered as EPA works to further integrate environmental justice into Agency programs.
  
- C Manages EPA's BEACH program grant awards to state and local governments for monitoring recreational waters and issuing advisories when waters are unsafe for swimming due to high levels of pathogens. The BEACH Program develops required program performance criteria for grant recipients. EPA will continue to work with stakeholders to receive comments on any future revisions of the performance criteria that may be necessary.
  
- C Manages the Fish and Wildlife Contamination Program, which maintains a web site that provides information regarding fish consumption and environmental justice. The web site disseminates information to health professionals and the public in order to enable informed decisions on when and where to fish, and how to prepare fish caught for recreation and subsistence. Information on the Web site includes the "National Listing of Fish and Wildlife Advisories," a database of information describing all fish and wildlife advisories issued by states and tribes in the U.S. The Web site also includes fact sheets, reports, posters, and other information such as EPA's "Guide to Healthy Eating of the Fish You Catch." Published in multiple languages, this is a guide to selection and preparation of fish that are low in chemical pollutants. In addition to providing this information on a Web site, the Fish and Wildlife Contamination Program has worked closely with the Agency for Toxic Substances and Disease Registry to disseminate printed material to the public through the medical community (medical doctors, nurses, nurse practitioners, and midwives).
  
- C The BEACH Program maintains a similar "Beach Watch" web site that contains a database of information describing state and local beach monitoring and notification programs as well as information about advisories issued for specific beaches during the swimming season. In

addition, the Web site contains fact sheets, posters, reports and brochures that discuss beach water pollution, the health risks associated with swimming in polluted water, and who to contact if contamination is suspected in beach water. Some of this information has been published in English and Spanish.

- C In collaboration with OEJ, regional offices and stakeholder groups, OST will consider ways to increase awareness among low income and minority populations of the water quality standards program and the role that external stakeholders can play.

### ***Activities of OWOW***

- C Develops tribal workshops to assist tribes in preparing Nonpoint Source Pollution Control Management Plans under CWA section 319, and helps Tribes become eligible for obtaining program grants available to all federally recognized Indian Tribes. OWOW plans to continue holding such workshops, as requested by interested Tribes, with a particular focus on areas of the country which have had relatively fewer workshops in the past. Tribal Nonpoint Source Pollution Control Management Plans help ensure effective coordination among all levels of government, to address water quality problems associated with nonpoint sources. This training program, and the likely increase in number of Management Plans and grant applications, increases such cooperation.

- C Provides outreach to schools and other organizations in low-income or minority communities. One of the most effective ways of achieving environmental justice is for community members to better understand the importance of water quality to their health and neighborhood. Such understanding encourages the community itself to take a direct role in protecting its aquatic resources.

Many of OWOW's training and outreach initiatives focus on children. For example, for the last two years OWOW's Wetlands Division has partnered with EPA Region 3, the District of Columbia Department of Health (DCDH) Living Classrooms, and others to conduct a "Wetlands Day" at DC's youth camp, "Camp Riverview." Throughout the week, children participate in hands-on activities focusing on watersheds, the air cycle, wetlands, soils, and wildlife. OWOW staff conducted a full day of wetland activities with 80 children and teenage counselors attending the camp. Letters written by the students indicate Camp Riverview gave them a sincere interest and concern for their community's watersheds and wetlands. OWOW plans to stay involved in this camp, and encourage county-sponsored youth camps to supplement camp fun with environmental educational activities nationwide.

OWOW looks for opportunities to work with communities interested in restoring their wetlands and other aquatic resources. For example, OWOW staff worked with a group of 4<sup>th</sup> and 5<sup>th</sup> graders from PR Harris Education Center on an educational project to restore wetlands plants at Kingman Lake on the Anacostia River. Partners in the project included the Washington, D.C., Department of Health Watershed Protection Division, U.S. Army Corps of Engineers, Americorps, and other organizations. Following the activity, EPA managers led an award ceremony to recognize the contributions of the students to the improved health of the Anacostia River and Chesapeake Bay.

OWOW also participates in community fairs in lower-income minority communities. For example, in 2002, OWOW staff interacted with over 400 District of Columbia school children and taught them about wetlands and watersheds at the Anacostia Environmental Education Fair. The staff focused on what wetlands look like through the seasons, and basic functions and values of wetlands. These types of "hands-on" environmental activities form the basis of our community outreach programs.

- C Addresses environmental justice issues as part of the National Environmental Policy Act (NEPA) analyses associated with CWA permitting. Procedures under NEPA help identify and address environmental justice concerns. NEPA calls on Federal agencies to analyze the environmental effects of Federal actions, including human health, economic, and social effects on minority and

low-income communities. NEPA also emphasizes the importance of public participation in the decision-making process.

OWOW intends to continue using the NEPA process to help ensure that community and environmental justice concerns about potential health, economic, and societal effects of projects are appropriately taken into account.

### **Activities of OWM**

- C Maintains a web site for onsite/decentralized wastewater systems. The Web site provides information on management, funding, technology, and public outreach to assist small, disadvantaged communities when using or considering decentralized systems to manage their wastewater needs.
- C Offers many of its publications in Spanish, as well as English.
- C Manages the award of Infrastructure Grants, which are often used to provide assistance to disadvantaged communities (such as, Clean Water Indian Set-Aside (CW ISA), Alaska Native Villages (ANV) sanitation grants and a portion of the Mexican Border infrastructure grants).
- C Provides technical assistance programs including: CWA Operators Training Program; assistance agreements with the Rural Communities Assistance Program (RCAP); National Small Flow Clearinghouse (NSFC), and National Environmental Training Center for Small Communities (NETCSC), which provide significant assistance to disadvantaged communities.

### **Section 7: Data Collection, Management, and Evaluation**

- C List your Regional/Headquarters office's main data sets - the ways in which you collect environmental justice information. Also, describe how this information will be utilized by your Regional/Headquarters office (e.g., environmental justice assessment, program tracking/evaluation, etc.).
- C Will your Regional/Headquarters office have a method of identifying and highlighting best practices and lessons learned? If yes, please describe.

While OW does not directly collect data related to environmental justice, OW uses 40 water-quality data systems to maintain the flow of information between the OW and appropriate users of the information. Each data system has three layers: data collection layer, a common services or functional layer, and a graphic interface or user layer. The information collected for OW could be compared with U.S. Bureau of Census data on population and community characteristics. When appropriate, OW will collect, maintain, and analyze populations identified by race, national origin, and/or income. Examples of OW's data systems include: Ambient Water Quality (STORET); Drinking Water (SDWIS); Permit Compliance System (PCS); Information Building: National Hydrology Data (NHD); BEACH Program; and Fish and Wildlife Consumption Advisories.

Descriptions of the database efforts of the program offices include:

- C AIEO will continue to play a major role in developing the Tribal Enterprise Architecture for Information Technology system. This system is entirely Web-based and is secure. The architecture is designed to track tribal environmental conditions and environmental programs across Federal agencies. It is also designed to keep proprietary tribal information away from FOIA considerations. TIMS is a Tribal Information Management System designed to track the tribal activities of all EPA programs. Currently, AIEO has two GPRAs reporting systems that have been developed as a part of TIMS; the Tribal Accountability Systems (TATS) and GAP Tracking. AIEO is coordinating with other Program Offices to promote development of metrics under all goals to indicate tribal performance and environmental results that includes tribes.

- C EPA's Fish and Wildlife Contamination Program conducts an annual survey of state and tribal advisory programs to obtain information about the methods they use for fish tissue monitoring, risk assessment, and risk communication. The Fish and Wildlife Contamination Program also compiles and maintains a national database of fish consumption advisories that have been issued by state and tribal governments in the U.S. This information can be used to help determine whether state and tribal programs are providing an adequate level of health protection for minority populations who may consume large amounts of fish taken from polluted waters.
- C EPA's BEACH Program maintains a database of information describing state and local beach monitoring and notification programs and advisories issued for specific beaches during the swimming season. This information can be used to help determine whether state, tribal, and local programs are providing an adequate level of health protection for minority populations who swim in urban and other waters containing high levels of pathogens.
- C The OST has developed case study materials detailing the benefits of water quality standards program to Indian tribes. As resources allow, it will continue this series of case study materials as a way to document environmental improvements on Indian Reservations. The case studies or lesson learned are also a mechanism for promoting tribal environmental programs to other Tribes.
- C OST uses the Risk Screening Environmental Indicator Model (RSEI). The RSEI model uses effluent data reported in the Toxic Release Inventory (TRI) to estimate the potential environmental impact of industrial releases. It analyzes the amount of chemical released, the toxicity of the chemical, its fate and transport through the environment, the route and extent of human exposure, and the number of people affected, to create numerical values that describe relative risk. OST will utilize RSEI analysis of the TRI data from reporting year 2000 to investigate the disparate impacts, as related to EJ concerns, associated with the consumption of fish from U.S. inland waters. Analysis will also allow for a characterization of populations affected by effluent limitation guidelines. Subsequent analysis will explore trends with the 1990 and 2000 TRI data to investigate the effectiveness of OW water programs with respect to point source contamination control.
- C OGWDW maintains the Safe Drinking Water Information System (SDWIS/FED) Violation and Inventory Data , U.S. Census Bureau Data, and Drinking Water Mapping Application Datasets. The Office currently is conducting a study to determine if there is a relationship between public water systems in noncompliance with drinking water regulations and environmental justice (or economically distressed) communities.
- C OWM Water Permits Division is the general data source for the Permits and Compliance System (PCS) as well as data collected in a State review process. The Municipal Support Division has program specific management systems.

### **Section 8: Professional and Organization Development**

- C Will your Regional/Headquarters office plan to provide training on environmental justice? If yes, please list and describe.
- C What methods will you utilize to promote shared learning, such as best practices and lessons learned among staff? If yes, please list and describe.

OW will encourage all staff to attend OEJ's Fundamentals of Environmental Justice Workshop, a two-day stand alone course, to ensure that staff have an understanding of how better integrate environmental justice in their day-to-day activities. In addition, OW will encourage staff to attend meetings of the Air and Water and the Indigenous Peoples subcommittee of the NEJAC to further learn about environmental justice issues and how OW can better help affected communities. OW also plans to integrate environmental justice principles into existing training courses and programs such as the NPDES permits writing course, the Water Standards Academy, and the Watersheds Academy. In addition, OW will hold "brown bags" at lunch time for staff to view videotapes on environmental justice and other related topics.

Other program office's efforts related to professional development include:

- C AIEO coordinates EPA's "Working Effectively with Tribal Governments" training. The Administrator's 1994 Tribal Operations Action Memorandum called for training EPA employees about Indian issues and their responsibilities to work with Tribes on a government-to-government basis. AIEO sponsors two training sessions a year that are open to all Headquarters employees. In addition, AIEO works with Program Offices to organize and present sessions tailored to the Program Office. This past year, AIEO also coordinated with OEJ to develop a curriculum that combined sections of the "Working Effectively with Tribal Governments" training and the "Fundamentals of Environmental Justice" and jointly presented the training at the Department of Interior Conference on the Environment.
- C The Fish and Wildlife Contamination Program plans to offer training at national meetings for Tribes on the development of fish consumption advisories. Training may also be held at national meetings for Headquarters staff and regional Fish and BEACH program coordinators on:  
1) targeting waters for fish consumption and swimming advisories, and 2) implementing risk communication strategies for "hard-to-reach" communities such as those with limited English proficiency, limited literacy, geographic isolation, limited income, or unique cultural values and practices that may limit the effectiveness of risk communication tools that are currently applied.
- C OWOW participates in a number of programs to help recruit minority and lower-income candidates, including the Hispanic American Colleges and Universities (HACU) summer internship program, and the Washington Center Native American Leadership Program. The perspective these interns bring to Headquarters has been invaluable in a wide variety of projects, and EPA staff often hear of interns' later involvement in helping their communities have a greater say in environmental decision-making in their neighborhoods.

### **Section 9: Environmental Justice Assessment**

- C Will your Regional/Headquarters office have a process by which an environmental justice assessment will be conducted? If yes, please describe.
- C Will your Regional/Headquarters office rely on any information resources with which to conduct an environmental justice assessment, such as the Environmental Justice Mapper, Environmental Justice Toolkit, etc.? If yes, please list and describe.

OW plans to take a more active role in developing mechanisms to conduct environmental justice assessments. To date OW does rely on tools such as the Environmental Justice Toolkit and Environmental Justice Mapper. Several of the program offices have initiatives and activities under development to conduct environmental justice assessments. These activities include:

- C On a biannual basis, a modeling exercise will be performed using REIM or other appropriate tools to identify waters that may require advisories to provide public health protection for surrounding communities. These waters will be compared to data in the National Listing of Fish and Wildlife Advisories and Beach Watch database to determine whether protective advisories are currently in place for those waters. The results of this analysis will be used to help assess effectiveness of the programs, and to target waters for assessment and advisory development.
- C OST also will use the RSEI model for assessments. The presence or absence of environmental justice concerns, such as, disparate incidence of risk as a function of demographic characteristics such as race and income, will be investigated by statistical analysis. Specifically, this analysis will utilize the data set described in Section VIII and perform multi-variate regression analyses whereby the measure of risk associated with fish consumption will be regressed on pertinent demographic and socioeconomic variables of environmental justice concern such as race, ethnicity, income, sex, age, geographic location, to ascertain if any of these explanatory variables are more closely related to risk. The initial analysis will be cross-sectional based on 2000 Census and TRI Release data to evaluate the current state of environmental justice.

Subsequently, it is envisioned performing a similar analysis on 1990 Census and TRI Release data and comparing the results to the 2000 analysis to ascertain the effectiveness of OW programs during the intervening decade. Correspondingly, a similarly analysis can be performed at regular intervals in the future to monitor OW effectiveness.

- C OGWDW will use the Safe Drinking Water Information System (SDWIS/FED) and U.S. Census Bureau Data to identify whether significant demographic differences exist between populations served by systems in violation of health-based standards within geographic regions and systems not in violation. In addition, data from the Safe Drinking Water Information System will be imported to an OGWDW Web-based Geospatial Application for data querying and mapping of potential risks from other sources of pollution. Further assessment will be conducted through the use of the Environmental Justice Mapper.

In addition to evaluating the broader environmental justice questions from a national perspective, OW also will be able to consider environmental justice implications of specific OW regulatory actions. For example, effluent guidelines which are industry specific will affect a specific subset of stream reaches. By comparing the socio-economic profile of those individuals impacted by a guideline activity to the descriptive statistics of the national data set, OW will be able to make distributional (equity) as well as efficiency evaluations associated with their CWA initiatives.

### **Section 10: Program Evaluation**

- C Will your regional/Headquarters office have any performance measures specifically related to environmental justice? If yes, please describe.
- C Will your Regional/Headquarters office conduct any needs assessments, reports or other documents (produced internally or through a contract) to identify, quantify, and evaluate methods to strengthen and/or improve your environmental justice program? If yes, please list and describe.
- C How will your Region/Headquarters highlight the accomplishments and results from your Environmental Justice Action Plan?

OW will be developing specific performance measures related to how successfully OW has integrated environmental justice into the activities that have been mentioned in this action plan. These performance measures will assist managers on how to better integrate environmental justice principles into policies, programs, and activities. In addition, OW will enhance its strategic plan to include goals and measures from the FY 2004-2005 Environmental Justice Action Plan.